

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor:	Erik Martz	Confirmation No.	9963
Appln. No.:	10/520,794	Examiner:	A. Reimers
Filed:	January 10, 2005	Group Art Unit:	3733
Title:	Chisels and Procedure for Insertion of Spinal Implant in a Spinal Disc Space		

## SUBMISSION UNDER 37 C.F.R. § 3.73(b)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

**Osteotech, Inc.**, a Delaware corporation, is an owner of the patent application identified above by virtue of either:

1. ☒ An assignment from the inventor(s) of priority patent application number 60/397,232, a copy of which is attached.

OR

2. ☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:
- a. From: To:  
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, Frame , or a copy of which is attached.
- b. From: To:  
The document was recorded in the U.S. Patent and Trademark Office at Reel  
, Frame , or a copy of which is attached.

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of **Osteotech, Inc.**

Dated: 1/3/08

Signature: 

Name: Mark H. Burroughs  
Title: Executive Vice President,  
Chief Financial Officer



UNITED STATES  
PATENT AND  
TRADEMARK OFFICE

NOVEMBER 05, 2002

PTAS

CARELLA, BYRNE, BAIN, GILFILLAN ET AL.  
WILLIAM SQUIRE, ESQ  
6 BECKER FARM ROAD  
ROSELAND, NEW JERSEY 07068

Under Secretary of Commerce For Intellectual Property and  
Director of the United States Patent and Trademark Office  
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RECORDATION DATE: 08/26/2002

REEL/FRAME: 013222/0910  
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
CHOW, DAVID

DOC DATE: 08/16/2002

ASSIGNOR:  
MARTZ, ERIK

DOC DATE: 08/16/2002

ASSIGNEE:  
OSTEOTECH, INC.  
51 JAMES WAY  
EATONTOWN, NEW JERSEY 07724

SERIAL NUMBER: 60397232  
PATENT NUMBER:

FILING DATE: 07/19/2002  
ISSUE DATE:

PAULA MCCRAY, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

07/19/2002	
11-6-02	
DATE OF FILING	
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08-29-2002

FORM PTO-1595  
(Rev. 3-01)  
OMB No. 0651-0027 (exp. 5/31/2002)



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U.S. Patent and Trademark Office

To the Honorable Commissioner of Patent and Trademarks: Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

David Chow  
Erik Martz

8-26-02

Additional name(s) of conveying party(ies) attached:

☐ Yes ☒ No

## 3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security/Agreement ☐ Change of Name  
☐ Other

Execution Date: August 16, 2002

## 2. Name and address of receiving party(ies):

Name: Osteotech, Inc.

Internal Address:

Street Address: 51 James Way

City: Eatontown

State: NJ

Zip: 07724

Additional name(s) & address(es) attached: ☐ Yes ☒ No

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s) 60/397232

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: William Squire, Esq.

Internal Address: Carella, Byrne, Bain, Gilfillan, Cecchi,  
Stewart & Olstein

Street Address: 6 Becker Farm Road

City: Roseland State: New Jersey Zip: 07068

## 6. Total number of applications and patents involved:

7. Total fee (37 CFR 3.41)....\$40.00

☒ Enclosed

☐ Additional fees, if any, authorized to be charged to deposit account

8. Deposit account number: 03-0678

(Attach duplicate copy of this page if paying by deposit account)

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## 9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

William Squire

Name of Person Signing

[Signature]  
Signature

August 19, 2002

Date

Total number of pages including cover sheet, attachments, and document: 2

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FINANCE SECTION

# ASSIGNMENT

For good and valuable consideration, the receipt of which is hereby acknowledged, each of the undersigned, **David Chow, residing in Edison, New Jersey, and Erik Martz, residing in Howell, New Jersey**, hereby sells, assigns and transfers to **Osteotech, Inc.** ("Assignee"), having a place of business at **51 James Way, Eatontown, New Jersey**, a Delaware corporation, its successors, assigns and legal representatives, his entire right, title and interest for the United States and all other countries, in and to the improvements(s) known as: United States Application Serial No. **60/397232**, filed **July 19, 2002**, and/or executed on even date herewith and is entitled:

## CHISELS AND PROCEDURE FOR INSERTION OF SPINAL IMPLANT IN A SPINAL DISC SPACE

and in and to said application and all divisional, continuing, substitute, renewal, reissue and all other applications for Letters Patent which have been or shall be filed in the United States and all other countries on any of said improvements, and in and to all original, re-examined and reissued patents and extensions thereof which have been or shall be issued in the United States and all other countries on said improvements (hereinafter collectively, the "Improvements").

The undersigned further agrees that said Assignee may apply for and receive Letters Patent for said Improvements in its own name; and, when requested, without charge to but at the expense of Assignee, its successors, assigns and legal representatives, to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue and all other patent applications on all such Improvements; execute all rightful oaths, assignments, powers of attorney and other papers; communicate to said Assignee, its successors, assigns and representatives all facts known to the undersigned relating to said Improvements and the history thereof; and do everything possible which said Assignee, its successors, assigns or representatives shall consider desirable for aiding in securing and maintaining proper patent protection for said Improvements and for vesting title to said Improvements and all applications for patent and all patents on said improvements in Assignee, its successors, assigns and representatives.

The undersigned hereby represents and warrants to Assignee, its successors, assigns and representatives that no assignment, grant, mortgage, license or other right or agreement affecting the rights and property herein conveyed has been made to others by the undersigned and that full right to convey the same as expressed herein is possessed by the undersigned.

The undersigned hereby grants power to John N. Bain (Reg. No. 18,651); John G. Gilfillan, III (Reg. No. 22,746); Elliot M. Olstein (Reg. No. 24,025); Raymond J. Lillie (Reg. No. 31,778); William Squire (Reg. No. 25,378); Alan J. Grant (Reg. No. 33,389); Francis C. Hand (Reg. No. 22,280); G. Glennon Troublefield (Reg. No. 39050); and Raymond E. Stauffer (Reg. No. 47,109) to insert on this Assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document. Address correspondence and telephone calls to **William Squire, c/o Carella, Byrne, Bain, Gilfillan, Cecchi, Stewart & Olstein, 6 Becker Farm Road, Roseland, New Jersey 07068**.

IN WITNESS WHEREOF, this Assignment is executed by the undersigned on the date(s) opposite their signature(s):

Inventor's Signature: \_\_\_\_\_

David Chow

Date: 8/14/02

STATE OF NJ, COUNTY OF Mon: SS.:

Before me this 16 day of Aug, 2002, personally appeared the above named individual(s), to me known to be the person(s) who are described in and who executed the foregoing assignment instrument and acknowledged to me that they executed the same of their own free will for the purpose therein expressed.

Linda Manning Savoca  
Notary Public

**LINDA MANNING SAVOCA**  
Notary Public Of New Jersey  
No. 2102632, Ocean County  
Commission Expires July 27, 2007

Inventor's Signature: \_\_\_\_\_

Erik Martz

Date: 8-16-02

STATE OF NJ, COUNTY OF Mon: SS.:

Before me this 16 day of Aug, 2002, personally appeared the above named individual(s), to me known to be the person(s) who are described in and who executed the foregoing assignment instrument and acknowledged to me that they executed the same of their own free will for the purpose therein expressed.

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No. 2102632, Ocean County  
Commission Expires July 27, 2007

**CARELLA, BYRNE, BAIN, GILFILLAN, CECCHI, STEWART & OLSTEIN**  
6 Becker Farm Road - Roseland, NJ 07068 - (973) 994-1700